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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA)	No. CR-15-0426-JD
)	
)	
v.)	RULE 12.4 STATEMENT RE
)	ORGANIZATIONAL VICTIM
)	
NEC TOKIN CORP.,)	
)	
)	
Defendant,)	
)	
)	
)	

1 Under Rule 12.4 of the Federal Rules of Criminal Procedure, the United States must
2 provide the Court with a statement identifying corporate victims of criminal activity. Fed. R.
3 Crim. P. 12.4(a)(2). The United States must also provide certain ownership information
4 concerning corporate victims to the extent this information is available through due diligence.
5 Id. This information is intended to aid the Court in determining whether recusal is appropriate.
6 See Fed. R. Crim. P. 12.4 advisory committee's note.

7 As the Court is aware, international antitrust conspiracies often affect hundreds if not
8 thousands of corporate victims at various levels of the downstream market. The instant case is
9 no exception. Hundreds of companies, both known and unknown, directly purchased electrolytic
10 capacitors from the conspirators in this case during the conspiracy period and hundreds more
11 made indirect purchases that may have been affected by the conspirators' activities. Even with
12 the exercise of due diligence, the United States could not inform the Court of the identity and
13 ownership of all of these potential corporate victims.

14 Based on information currently available, however, the United States has identified what
15 it believes are some of the largest customers potentially affected by the alleged conspiracy.
16 These customers are listed below. The United States believes that this list should allow the
17 Court to make an informed decision of whether it has any "financial interest in the subject matter
18 of the controversy." Id. (quoting Code of Judicial Conduct, Canon 3C(1)(c)) (1972)). Should
19 the Court require further information or further identification of the companies listed, the
20 Division will do its best to supply the additional information.

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Almar Enterprises	Foxconn	Philips
Alpine	Fujitsu	Pioneer
Apple	Hewlett Packard	Quanta
Arrow	Hon Hai	Ricoh
Astec International	Honeywell	Samsung
Asustek	IBM	Satori Denki
Avnet	Inventec	Sennheiser Manufacturing
Blackberry	JVC Kenwood	Shibakawa Manufacturing
Bosch	Keihin North America	Skytex International
Canon	Kimball Electronics	Sony
Codico	Kyocera	Sumitronics
Compal	LG	Thing Chang Corp.
Cornell Dubilier	Micro Systems Engineering	Toshiba
Dell	Nintendo	TTI
Delta Electronics	Nokia	Universal Lighting
Digi-Key	Olympus	Whirlpool
Ericsson	Orion Electric	Wistron

Respectfully Submitted:

Dated: October 13, 2015

/s/ Jacklin Chou Lem
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